

IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO

IN RE: **EMERITO SEDA TORRES**  
SSN xxx-xx-6300

CASE NO: **24-05281-MCF**

Debtor(s)

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES AND REPORT ON CONFIRMATION

Petition Filing Date: **12/04/2024**

First Meeting Date: **01/09/2025 at 2:20PM**

Days From Petition Date: **63**

341 Meeting Date: **02/05/2025 at 9:40AM**

910 Days Before Petition: **06/08/2022**

Confirmation Hearing Date: **01/31/2025 at 2:15PM**

Chapter 13 Plan Date: **12/04/2024** ☐ Amended

Plan Base: **\$13,392.00** Plan Docket #**5**

This is Debtor(s) 1st Bankruptcy petition.

This is the 2 scheduled meeting.

Payment(s) ☐ Received or ☒ Evidence shown at meeting:

Total Paid In: **\$372.00**

Check/MO# \_\_\_\_\_

Date: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

\*APPEREANCES: ☐ Telephone ☒ Video Conference

Debtor: ☒ Present ☐ Absent ☒ ID & Soc. OK

Joint Debtor: ☐ Present ☐ Absent ☐ ID & Soc. OK

☒ Examined ☐ Not Examined under Oath

☐ Examined ☐ Not Examined under Oath

Attorney for Debtor(s): ☐ Not Present ☒ Present

Name of Attorney Present (Other than Attorney of Record): \_\_\_\_\_

☐ Pro-se

☒ Creditor(s) Present ☐ None

RIVERA BPPR

\*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **MARIBEL RUBIO BELLO\***

Total Agreed: **\$4,000.00** Paid Pre-Petition: **\$1,100.00** Outstanding (Through the Plan): **\$2,900.00**

\*TRUSTEE'S REPORT ON CONFIRMATION & STATUS OF §341 MEETING

Debtor's/s' Commitment Period: ☐ Under Median Income 36 months ☐ Above Median Income 60 months §1325(b)(1)(B)  
Projected Disposable Income: **\$ 0.00**

☒ The Trustee cannot determine debtor's/s' commitment period at this time.

**If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately \$0.00**

The Trustee: ☐ NOT OBJECTS ☒ OBJECTS [Plan Confirmation](#) Gen. Uns. Approx. Dist.: 7 %

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☒ CLOSED

☐ HELD OPEN FOR \_\_\_\_ DAYS until \_\_\_\_\_ pursuant to 1308. After this date the meeting is deemed CLOSED.

§341 Meeting Rescheduled for: \_\_\_\_\_

Access via Zoom 341 Meeting Information Meeting ID: 842 075 7565 Passcode: 8744010630 \*\*\*Dedicated Phone: (939) 545-9003.

\*\*\*As per UST Guideline for ZOOM 341 meeting Debtors and their attorneys must appear by video.

Comments:

\*TRUSTEE'S OBJECTIONS TO CONFIRMATION: NOTICE: LBR 3015-2(c)(6) The debtor must within seven (7) days after service of the objection file either: (A) an amended plan that addresses each objection; or (B) a reply setting forth the facts and legal arguments that give rise to the reply in sufficient detail to allow each objector, if possible, to reconsider and withdraw its objection.

[1325(a)(1)] Failure to comply with her/his/their duties.[11 U.S.C.704(a)(4) and 1302(b)(1)]

Debtor has included a solar energy system in Schedule AB. Debtor claims that the system is rented and, if that is the case, it is not property of the estate. Debtor must submit the contract for evaluation and make the pertinent amendments.

[1325(a)(5)] Plan fails to comply with required treatment of allowed Secured Claims.

The plan fails to include a provision for COOPACA's secured arrears and shares per POC no.4.

[1325(b)(1)(B)] Projected Disposable Income – Debtor(s) fails to apply projected disposable income, to be received during applicable commitment period, to make payments to unsecured creditors under the plan. [1322(a)(1)]

- Unreasonable or unwarranted expenses.

Debtor must submit evidence of the electric utility expense (\$503.00 for a family of 2). The home maintenance expense is unreasonable \$150.00 a month.

\*OTHER COMMENTS / OBJECTIONS

HAVEN ACT CASE: Debtor has omitted the veteran's pension in the Means Test. Debtor has failed to submit evidence to establish that the funds in question are not considered income pursuant to the Haven Act. Debtor's commitment period cannot be determined at this time.

The Trustee notes that the plan is composed of only 36 payments.

/s/ Jose R. Carrion, Esq.  
Trustee Meeting Date: Feb 05, 2025

/s/ Nannette Godreau, Esq., Presiding Officer